

Regular/Public

APRIL 2, 2018

Council President Baker called the meeting to order and Pastor Newton Brenneman from New Hope Christian Center led the prayer. The pledge was recited.

Roll call: Shupp, Wilson, Aspiras Jr., Hamsher, Aspiras Sr., Corfman and Lorson were present.

Corfman moved to approve the minutes as posted of the last regular meeting on March 19, 2018. Wilson seconded. Roll call vote; Hamsher abstained; all remaining yeas; motion carried.

Standing Committee Reports – None

Administrative Reports

Mayor Handwerk: Our employee of the month for April is Joe Hranko from the Service Department. He started in May of 1989 as a Laborer in the parts room at the Lacy Center. During his 28 years, Joe has held many positions within our department, working in the Streets, Cemetery, and the Parks department, where he currently oversees the maintenance. Joe is an experienced certified arborist and has financially saved money for the city as he is involved in the trimming, removal and maintenance of the trees in the tree lawn right of ways. Joe enjoys playing golf in his free time and has volunteered at the Bridgestone World Tour of Golf for several years. He lives in Orrville with his wife Nancy. He has two adult daughters, four grandchildren and enjoys any amount of time he gets to spend with them. April is our Clean-Up Orrville month and hopefully groups in town can get a chance to get out and help pick up some of the litter that gets blown around. The annual Mayor's Prayer Breakfast which is always the first Thursday in May, this year May 3, at Schmid Hall at 6:45 a.m. so that people can get finished and back to work by 8 a.m.

Safety Service Department Steve Wheeler: The Street Department is getting started on basins in preparation for our street projects for this year. The compost center opens Wednesday, April 4, 7:30-11:15 a.m., 12:15-3:15 p.m. and Saturday's 8-noon. Items accepted include materials that will compost only such as leaves, grass, branches, shrub trimmings and trees excluding stumps and roots.

Utility Director Brediger: The Utility Board held a second public meeting related to the proposed landlord policy. Only one landlord attended the meeting. We have made a couple changes to the policy. We are making final adjustments and are expected to approved at landlord policy at the April 9th Utility Board meeting with an effective date of January, 2019.

Finance Director Strimlan: Fund Balance report was presented for the period ending February 28, 2018, and asks for a motion to approve that report subject to audit. Corfman moved to approve the report subject to audit; Aspiras Sr. seconded. Roll call vote; all yeas; motion carried.

Old Business

Lorson moved that Ordinance E-18 be placed on second reading. Corfman seconded. Roll call vote; all yeas; motion carried. **ORDINANCE E-18**, An Ordinance Amending Section §151.08 of the Codified Ordinances of The City of Orrville, Ohio, Relating to the Compensation of Elected Officials and Certain Appointed Officers.

Discussion: The Daily Record printed an article that explained this well. It's been a long time since the last increase. This will go for three readings.

New Business

Lorson moved that Resolution 5-18 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **Resolution 5-18**, A Resolution imposing a Moratorium for a period not to exceed ninety (90) days from the effective date of this Resolution on the issuance and processing of any permits allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Orrville, State of Ohio, and declaring an emergency.

Discussion: This is a 90-day moratorium. Council previously passed two moratoriums - one a 6 month

Regular/Public

APRIL 2, 2018

(180-day) and then a 365-day which expires tomorrow. We needed something in place to give us additional time to consider this. We also have another piece of legislation before you to consider a ban. We needed space to have the opportunity to decide, what, if anything, you want to do with any zoning restrictions etc. This gives council time to respond to that.

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Shupp seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 5-18 be adopted as read. Aspiras Sr. seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Ordinance F-18 be placed on first reading. Aspiras Sr. seconded. Roll call vote; all yeas; motion carried. **Ordinance F-18**, An Ordinance amending and/or supplementing Section 1120.03 "Prohibited Uses" of Chapter 1120 "Planning and Zoning Code" of the City of Orrville, Ohio, concerning prohibited uses to prohibit the cultivation, processing and retail dispensing of marijuana in all zoning districts of the City of Orrville, Ohio.

Discussion: Council has been passing the moratoriums. This subject has been in the news for the last two years. The State of Ohio is geared to adopt legislation in allowing dispensaries possibly in September of this year. Many municipalities have taken the position that they will ban or limit or restrict within certain zoning districts. We are not sure what the State is going to do. We want to get ahead of that. The State law as written is marijuana for medical use with prescription and not in a smoke-able form. Can we differentiate the use of a dispensary between medical and let's say at some point in the future if recreational marijuana becomes available? If anyone has a prescription they could use it whether we prohibit dispensaries or not. But through our zoning, trying to restrict the type of usage, we are not sure how enforceable that would be. How would we determine how that is being used and that would be an enforcement issue for the police department on whether someone had a prescription or whether they were using it in the event that recreational use became permitted in Ohio. That's a tough call. We could write the legislation that it is for medical purposes and then revisit if we have to further tighten that. No interest or requests for permits have been received.

Health and Safety Committee meeting was called to further discuss Ordinance F-18 legislation on April 23, following the Utility Board meeting, at approximately 7 p.m.

Clerk Gault: Mr. President, the Fiscal Officer's Certificate for Resolution 6-18 is on file.

Lorson moved that Resolution 6-18 be placed on first reading. Corfman seconded. Roll call vote; all yeas; motion carried. **Resolution 6-18**, A Resolution authorizing the Mayor to enter into a contract and/or contracts with the State of Ohio, Department of Transportation, for the purpose to perform pavement repairs and resurface State Route 57 in the City Of Orrville, Ohio and declaring an emergency.

Discussion: This is the final piece of legislation required by the State Ohio Department of Transportation (ODOT) in order to proceed with our Rt. 57/Main Street asphalt overlay, base repair project, concrete street replacement as well. The estimate from ODOT is \$795,455 with base repair, concrete replacement as well as the asphalt overlay. We did budget \$850,000 so we are within budget with room for bids coming in higher or change orders. Your approval would help keep the project moving forward. They hoping to go out for bids in the next few weeks and begin the project the week after July 4.

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Shupp seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 6-18 be adopted as read. Aspiras seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 7-18 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **Resolution 7-18**, A Resolution authorizing the Board of Control to procure quotes from various vendors and then enter into an agreement and/or agreements without bidding, to replace a portion of the roof of the Fire Station #1 for the Fire Department of the City of Orrville, Ohio, and declaring an emergency.

Regular/Public

APRIL 2, 2018

Discussion: This project was discussed in the final appropriation workshop. There is a part of the fire station roof that is dripping quite heavily into buckets below it. The replacement is budgeted between both EMS and Fire Department Capital Funds. We request permission to move forward with quotes to move this project forward. We will go with the low quote.

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Aspiras Jr. seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 7-18 be adopted as read. Aspiras Jr. seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 8-18 be placed on first reading. Corfman seconded. Roll call vote; all yeas; motion carried. **Resolution 8-18**, A Resolution authorizing the Director of Utilities and/or the Public Utilities Board of Control to enter into a contract, without bidding, for well maintenance and declaring an emergency.

Discussion: This is routine well maintenance that usually comes under the \$100,000 that the utility board is authorized. We normally do three wells a year. During our inspections we did run into a little more extensive damage on one of the wells and also due to scheduling conflicts last year we fell one well behind last year. They had one collapse and damage the pump. This estimate is around \$140,000 and money is in the appropriations at \$160,000 to cover this. This additional just puts us over the limit that requires council legislation for work that exceeds \$100,000. We could request approval tonight if possible so we can schedule the work in over the next 4-5 months with Ohio Drilling out of Massillon. We have 11 total wells, all except one are in Wayne County with one in Stark. The well pumps run 24 hours a day for the most part and move about 2 million gallons a day.

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Corfman seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 8-18 be adopted as read. Wilson seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 9-18 be placed on first reading. Hamsher seconded. Roll call vote; all yeas; motion carried. **Resolution 9-18**, A Resolution authorizing the Board of Control to enter into an agreement and/or agreements with the State of Ohio Purchasing Cooperative, Department of Administrative Services to purchase one (1) 2017, 2018 or 2019 Ford Police Interceptor Utility V6 AWD Vehicle; or alternatively to purchase said vehicle from another dealer upon equivalent terms, conditions and specifications, but at a lower price than it can be purchased through the State Contract as allowed by Ohio Revised Code Section 125.04; or alternatively to advertise for bids and enter into an agreement and/or agreements for said purchase to include an optional offset to the cost of said vehicle via the trade-in of one (1) 2004 Ford Crown Victoria, and declaring an emergency.

Discussion: This was discussed in the budget workshop. This is the replacement of the '04 Crown Vic for the K-9 Officer Mike Smith. It does not have to be approved this evening.

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Aspiras Sr. seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 9-18 be adopted as read. Hamsher seconded. Roll call vote; all yeas; motion carried.

Finance Director Strimlan presented the Finance Department Annual Report.

Question/Answers: What is our ROI running? Just over 1% for our investments. Some commercial paper is a little higher than that but it is very short term. Our longer term are right in that range. In the General Fund our interest receipts have increased about 54% but nowhere near what it was back in 2008, 2007. Most of the Finance Departments expenses could be covered with the interest income and now we are about \$58,000. It is moving up.

Nothing for the Good of the Order.

